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8  
9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE DISTRICT OF NEVADA**

11 DR. FRANCIS JONES,

12 Plaintiff,

13 vs.

14 THE STATE OF NEVADA EX REL.  
15 BOARD OF REGENTS FOR THE  
NEVADA SYSTEM OF HIGHER  
16 EDUCATION ON BEHALF OF THE  
UNIVERSITY OF NEVADA, LAS VEGAS  
17 SCHOOL OF DENTAL MEDICINE; DOES  
18 1-10, AND ROE CORPORATIONS 1-10,  
INCLUSIVELY,

19 Defendants.  
20

**Case No.: 2:16-cv-00949-RFB-NJK**

**DEFENDANT'S REQUEST TO  
VACATE AND RESCHEDULE EARLY  
NEUTRAL EVALUATION**

21 Defendant, the State of Nevada ex rel. Board of Regents of the Nevada System of Higher  
22 Education on behalf of the University of Nevada, Las Vegas School of Dental Medicine (“SDM”),  
23 by and through counsel, Elda M. Sidhu, Esq., General Counsel, and Debra L. Pieruschka, Esq.,  
24 Assistant General Counsel, University of Nevada, Las Vegas School of Dental Medicine, Office of  
25 General Counsel, hereby submits, for good cause, its request to vacate and reschedule the Early  
26 Neutral Evaluation (“ENE”) reset for September 15, 2016 at 1:30 p.m.

27 At the time SDM sent its initial request, September 15, 2016 was a viable option. Since  
28 SDM is part of the self-funded Tort Claims Fund, managed by State of Nevada, Office of Attorney

General, Nancy L. Katafias, Tort Claims Manager, is a representative that must be present for all potential settlement discussions. Upon receipt of the Order Scheduling the ENE, Ms. Katafias informed us that she is unable to change her schedule as she has an existing settlement conference that she is unable to cancel. I have conferred with all SDM representatives and Ms. Katafias, and they have the following dates available: Sept 12, 14, 19, 21, 22, and 26, 2016. As such, SDM respectfully requests this Court, for good cause, vacate and reschedule the ENE for any of those forgoing dates.

Based on the foregoing, SDM submits good cause exists and requests this Court reschedule the ENE to ensure the presence of key individuals to support the utility and purpose of the ENE session.

DATED: JULY 11, 2016.

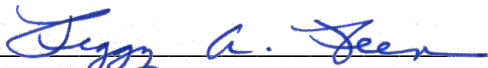
/S/ DEBRA L. PIERUSCHKA  
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IT IS ORDERED that the settlement conference currently set for September 15, 2016, is VACATED and CONTINUED to **September 21, 2016, at 9:30 a.m.**, in Chambers, Room 3071.

IT IS FURTHER ORDERED that confidential settlement statements are due to Chambers, Room 3071, no later than **4:00 p.m., September 14, 2016**.

IT IS FURTHER ORDERED that all other instructions within the original Order Scheduling ENE (ECF No. 15) still apply.

Dated: July 19, 2016

  
 Peggy A. Leen  
 United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 11TH day of JULY, 2016, I served the foregoing  
**DEFENDANT'S REQUEST TO VACATE AND RESCHEDULE EARLY NEUTRAL  
EVALUATION** via the Court's CM/ECF Filing System, to the following:

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/S/ SHEENA M. CLOW  
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